

# **EXHIBIT “A”**

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF QUEENS – COMMERCIAL DIVISION**

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**STAR AUTO SALES OF QUEENS LLC  
D/B/A STAR SUBARU;**

**Plaintiff,**

**DOUGLAS FILARDO and  
SUBARU MOTORSPORTS D/B/A  
MOTORSPORTS ADVERTISING,**

**Defendants.**

**Index No.: 717443/2017**

**Hon. MARGUERITE  
A. GRAYS**

**NOTICE OF MOTION**

***Oral Argument is Requested***

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**PLEASE TAKE NOTICE** that pursuant to CPLR § 2221(d), upon the Affirmation of Brett W. Joseph, Esq., sworn to on the 20<sup>th</sup> day of May, 2019 including all exhibits attached thereto, Plaintiff's Memorandum of Law in Support of its motion for leave to reargue, and all the prior papers and proceedings herein, Plaintiff will move this Court before the Commercial Division Part B, Courtroom 66, at the Queens County Supreme Courthouse, located at 88-11 Sutphin Boulevard, Jamaica, New York 11435, at 10:00 a.m. on June 18, 2019, or as soon thereafter as counsel can be heard for an order granting leave to reargue Defendants' motion to dismiss which was granted in part by the Court in its Order dated March 29, 2019 and entered on April 19, 2019, and in the event that such leave is granted that such reargument then and there proceed, and for such other and further relief as may be just, proper, and equitable, and for such other remedies as the Court deems just and proper.

**PLEASE TAKE FURTHER NOTICE** that pursuant to CPLR § 2214(b), opposing papers, if any, shall be served on the undersigned so that they are received at least seven (7) days before the return date of this motion; whereupon any reply shall be served at least one day before such time.

Dated: Lake Success, New York  
May 20, 2019

**MILMAN LABUDA LAW GROUP PLLC**

/s/ Brett W. Joseph, Esq.

Jamie S. Felsen, Esq.

Joseph M. Labuda, Esq.

Brett W. Joseph, Esq.

Attorneys for Plaintiff

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Lake Success, NY 11042

(516) 328-8899

Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE MARGUERITE A. GRAYS  
Justice

IAS PART 4

-----X  
STAR AUTO SALES OF QUEENS LLC  
D/B/A STAR SUBARU,

Plaintiff(s),

-against-

DOUGLAS FILARDO and  
SUBARU MOTORSPORTS D/B/A  
MOTORSPORTS ADVERTISING.

Defendant(s).

Index  
No.: 717443/2017

Motion  
Dated: June 18, 2019

Motion  
Cal. No.: 20

Motion  
Seq. No.: 3

-----X  
The following papers numbered 1-7 read on this motion by plaintiff for an Order granting reargument.


Notice of Motion Affid.-Exhibits.....  
Answering Affid.-Exhibits.....  
Reply Affid.-Exhibits.....

PAPERS  
NUMBERED  
1-4  
5-6  
7

Upon the foregoing papers it is ordered that this motion by plaintiff for leave to reargue is denied.

Dated:

OCT 30 2019

  
MARGUERITE A. GRAYS  
J.S.C.

